



June 27, 2019

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street SW
Washington DC 20554

Re: Notice of *Ex Parte* Communication, MB Docket Nos. 18-202, 17-317 & 17-105

Dear Ms. Dortch:

On Tuesday, June 25, representatives of the National Association of Broadcasters (NAB) met with members of the Media Bureau to discuss the Commission's draft orders regarding children's television programming rules and electronic delivery of carriage election notices.¹ A complete list of attendees is included below. On Thursday, June 27, the undersigned also spoke by telephone with Joel Miller, chief of staff and media legal advisor to Commissioner Michael O'Rielly about the children's television programming rules.

NAB appreciates the Commission's efforts to address these important issues. Modernizing these rules will provide television broadcasters meaningful relief from regulatory burdens that are unnecessary in light of technological advances and marketplace changes. With respect to the Commission's carriage election rules, NAB reiterated that the proposed revised rules will greatly decrease burdens for television broadcasters and increase certainty for both broadcasters and multichannel video programming distributors.² NAB also emphasized that by extending the proposed rules to satellite providers,³ the Commission will meaningfully decrease the risk of confusion without increasing any burden on any stakeholder.

¹ See *Children's Television Programming Rules*, Public Draft, Report and Order and Further Notice of Proposed Rulemaking, MB Docket Nos. 18-202, 17-105, FCC-CIRC1907-06 (June 19, 2019) (Draft Children's TV Order); *Electronic Delivery of MVPD Communications*, Report and Order and Further Notice of Proposed Rulemaking, MB Docket Nos. 17-317, 17-105, FCC-CIRC1907-07 (June 19, 2019) (Draft Carriage Order).

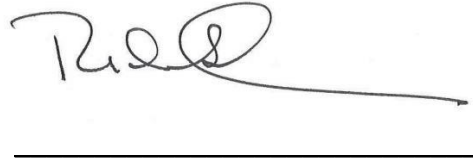
² See Comments of the National Association of Broadcasters, MB Docket Nos. 17-317, 17-105 (Feb. 15, 2018); Reply Comments of the National Association of Broadcasters, MB Docket Nos. 17-317, 17-105 (Mar. 2, 2018).

³ See Draft Carriage Order at ¶¶ 20-23.

Regarding the children's TV draft order, NAB stated in its meeting with the Media Bureau that the proposed revised rules will give broadcasters much-needed flexibility while ensuring that all children still have access to a variety of free, over-the-air educational and informational programming.⁴ NAB also noted that continuing to require broadcasters to provide publishers of program guides with information identifying programming specifically designed to educate and information children⁵ may no longer make sense given that publishers are not required to, and do not always, include this information in their guides. During the call with Mr. Miller, NAB sought to eliminate the proposed tentative conclusions in the Further Notice of Proposed Rulemaking concerning the commercial status of sponsored stations and the funding benchmark regime.⁶

NAB and TV broadcasters greatly appreciate the Bureau's efforts to modernize these rules and Commissioner O'Rielly's leadership on reviewing the agency's children's television rules. Both draft orders are common-sense and important steps in aligning the Commission's broadcast regulations with the modern marketplace.

Respectfully submitted,
NATIONAL ASSOCIATION OF BROADCASTERS

A handwritten signature in dark ink, appearing to read "Rick Kaplan", with a long horizontal line extending to the right.

Rick Kaplan
General Counsel and Executive Vice President
Legal and Regulatory Affairs

cc: Michelle Carey, Martha Heller, Sarah Whitesell, Lyle Elder, Kathy Berthot, Jonathan Mark, Joel Miller

⁴ See Comments of the National Association of Broadcasters, MB Docket Nos. 18-202, 17-105 (Sept. 24, 2018) (NAB Comments); Reply Comments of the National Association of Broadcasters, MB Docket Nos. 18-202, 17-105 (Oct. 23, 2018) (NAB Reply Comments).

⁵ See Draft Children's TV Order at ¶ 58.

⁶ See *id.* at ¶¶ 75-77.

June 25, 2019 Meeting Attendees

Media Bureau

Michelle Carey

Martha Heller

Sarah Whitesell

Lyle Elder

Kathy Berthot

Jonathan Mark

National Association of Broadcasters

Rick Kaplan

Emmy Parsons

Hadley Dreibelbis